

REMARKS

Procedural Status

This application has been unintentionally abandoned, revived, lost by the Patent Office, unintentionally or unavoidably abandoned again and revived again. A requirement for revival is the filing of an amendment and response to a last pending office action. As a part of the Petition for Revival, applicant filed such a response to the final office action last pending. This amendment replaces that response. Applicant hereby disavows the amendments and remarks contained therein. The procedural issues arising from the necessity to revive an application that has been lost by the Patent Office are tangential to the substantive response to the last pending office action. Accordingly, applicant is not limited by any claim scope disavowal or prosecution history estoppel that may be read into the office action response filed together with the last petition for revival. Instead, applicant may be limited by any claim scope disavowal or prosecution history estoppel raised by the amendment filed herewith.

35 U.S.C. §112

The previously filed claims 1 through 17 are cancelled. Newly filed claims 18 through 26 obviate any further response to the 112 rejection.

35 U.S.C. §102/103

As discussed in the background section of the original specification, the prior art, including the Watts, Kruse, Hofer and Herlitzius references cited by the examiner, do not disclose, teach, suggest or motivate or otherwise render obvious a control system responsive to a load sensed on board the combine which controlling and load sensing is independent of any effect of the fan speed. The claims filed herewith structurally recite this novel and non-obvious aspect of the applicant's invention.

Conclusion

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Wherefore, favorable consideration of the proposed amendments above is requested.

Respectfully submitted,



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